

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OLD TOLEDO BRANDS, INC.

Plaintiff,

-v.-

SCHENKER, INC.

Defendant.
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ORDER

07 Civ. 9496 (VM) (GWG)

GABRIEL W. GORENSTEIN, United States Magistrate Judge

The Court is in receipt of letters dated March 25 and 26, 2008 from the parties.

It is pointless to hold a settlement conference where one side does not feel prepared to participate in the conference. Accordingly, the settlement conference is adjourned to May 12, 2008 at 10:00 a.m. Letters are due on May 7, 2008.

As for the discovery issues raised in defendant's letter, these appear to be the sort of disputes that the parties could easily resolve themselves. The Court notes that sometimes a party can provide affidavits on a point at issue rather than insist on an interrogatory.

In any event, the parties are directed to meet and confer in person or by telephone promptly. If the disputes are not resolved, defendant is free to make a new application pursuant to paragraph 2.A of this Court's Individual Practices.

If the parties so request, the Court will extend the discovery deadline so that more expensive forms of discovery, such as depositions, may be postponed until after the settlement conference.

SO ORDERED.

Dated: March 26, 2008
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge